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EASTCHESTER TECHNOLOGY DEPARTMENT

Anita Better, Director of Information Technology & Adult Education

March 4, 2003



Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> street. SW  
Washington, D.C. 20554

Re: CC Docket No. ~~02-6~~  
DA 03-396, Released February 11, 2003  
SECOND APPEAL.

Dear Mr. Seifert:

We received your memo dated February 12, 2003 in reference to the above captioned case number. Again, we are applying for a petition for reconsideration with the Commission regarding the Funding Commitment Decision Letter of July 30, 2002, denying Eastchester's request for discounted services under the Schools and Libraries Universal Service. We have been denied discounts for Telecommunication and Internet services, Funding Request Numbers 876086, 876087 and 876088 [Year 5].

The reasons for denial of finding were that we were two days early before the unusual allowable contract date of Christmas Day, December 25, 2001, and that we failed to appeal 60 days after we received the Appeal of Denial Decision of Application Number 326886 dated July 30, 2002. Please allow us to give you clarification of the events that misled us to believe that we were going to receive finding for Year 5.

When Form 471 for Year 5 was sent Certified Mail on December 22, 2001, we anticipated that it would have arrived after December 25 due to the fact that the holidays can impede timely mail service. I received an acknowledgment letter indicating that everything was fine. There was no indication in the letter that we were two days early before the allowable contract date. When the Funding Commitment Decision Letter of July 30, 2002 arrived denying discount funding because the signature date was before the allowable contract date, we contacted Mr. Anthony White from SLC on August 1, 2002. At that time he asked that we re-fax, to him, the entire file. He did point out to my assistant that there were some errors in the file and that she was to fax the corrections. My assistant faxed the accurate files to Mr. White that same day. After several attempts to contact Mr. White by phone, we finally spoke with him, and he said that everything was in order. He indicated that we were going to receive a new finding decision letter. We waited to receive this letter and tried to get in touch with Mr. White numerous times.

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Time passed and the decision letter did not come. Several attempts to *Speak with* anyone in SLC who could assist **us**. Finally, on October 22,2002, we got in touch with Stephanie Glanten of **SLC** and we relayed to her everything regarding our file. She assured **us** that she was going to look into the matter, the files looked to be in order and was puzzled as to why we haven't received the new decision letter for funding. Ms. Glanten concluded that we were denied funding because we filed 2 days too early. We feel that this was totally unfair and unjust. As of August 6,2002, we were led to believe that all errors had been corrected and a new funding decision letter would follow.

We ask again that you reverse your decision of denial. We complied with every instruction, given to us, to correct the filing errors in our application. In good faith we were led to believe that it was not necessary to file a formal appeal.

**Thank** you so much for this hearing. If you need to contact **us**, I **can** be reached at **914 793-6130**,ext. 4235 or Suzette Rothmann at ext. 4660. We look forward to hearing from you with a favorable reply.

Sincerely,

Anita Better  
Director of Information Technology and Adult Education

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Abetter:secondappealrater5.